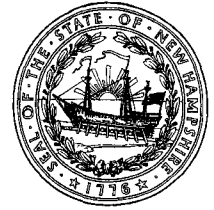




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

December 29, 2005

LETTER OF DEFICIENCY# WSEB 05-192
Certified Mail# 7099 3400 0003 6156 7396

Jean Marquis
Oyster River Condo Association
c/o Great North Property Management
95 Brewery Lane, Unit 10
Portsmouth, NH 03801-4983

Subject: Lee - Public Water System: Oyster River Condos (EPA# 1332010)

Dear Ms. Marquis:

The records of the Department of Environmental Services (DES) show that the subject water system is classified as a community water system (CWS), as defined by RSA 485:1-a. A CWS is defined as a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. Pursuant to NH Admin. Rule Env-Ws 352, a CWS owner is required each year to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st, to forward a copy of the CCR to DES by July 1st, and to submit Certification of the CCR to DES by October 1st. DES acknowledges receipt of a copy of the 2005 CCR, however, DES records show that the subject water system failed to submit to DES the 2005 CCR Certification by October 1, 2005.

On October 24, 2005, DES issued a Notice of Violation (NOV) to the water system for failure to submit the 2005 CCR Certification. The NOV requested that the Certification form be completed and sent to DES within 10 days. To date, DES has not received a response to the NOV. The failure to submit the 2005 CCR Certification places the water system in violation of Env-Ws 352.

DES believes the CCR violation can be corrected by taking the following action:

By January 13, 2006, submit to DES the 2005 CCR certification.

In the event compliance is not achieved within this period, DES may initiate formal action against the Association, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The copy of the 2005 CCR Certification as requested above should be addressed as follows:

Alan Leach
Water Supply Engineering Bureau
Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

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A 2005 CCR Certification form has been enclosed for your convenience.

If you have any questions concerning this letter, please contact Alan Leach at (603) 271-2854 or by email at aleach@des.state.nh.us.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be 'COPY' with a large loop at the end, is written over the signature line and extends into the distribution list area.

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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encl.: 2005 CCR Certification Form

cc: Pamela Driscoll, Owner's Representative
John Benham, Primary Operator

cc w/o encl.: Gretchen R. Hamel, DES Legal Unit Administrator
EPA, Region 1